

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/748,579	BRACCHITTA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Romain Jeanty	3623	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/27/2005.
2. ☒ The allowed claim(s) is/are 1-13, 15, 17-24, 31-41, 43-54 and 56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

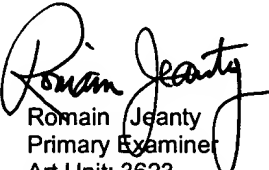
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|--|

  
 Romain Jeanty  
 Primary Examiner  
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### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Claim 1, line 16, please delete "use in".

Claim 31, line 17, please delete "use in".

Claim 44, line 18, please delete "use in".

Claims 25-30 are canceled.

Authorization for this examiner's amendment was given in a telephone interview with Kevin P. Radigan on March 20, 2006.

### **Allowable Subject Matter**

2. Claims 1-13, 15, 17-24, 31-41, 43-54, and 56 are allowed.

### **Reasons for Allowance**

3. The following is an Examiner's statement of reasons for allowance:

The closest prior art is to Hsu et al (article, Managing the university technology licensing process: finding from case studies). Hsu discloses potential value of a licensed invention contrasted with the human resources needed to develop and process invention disclosures, patents, and licenses). However, Hsu et al fails to teach or suggest periodically generating a report indicative of the difference between the inputted actual resource usage and the pre-

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apportioned resource capacity ideals by technology areas of interest for managing resource allocation adjustments for the intellectual property taken in combination with a method for managing invention disclosures as recited in independent claim 1.

The closest prior art is to Hsu et al (article, Managing the university technology licensing process: finding from case studies). Hsu discloses potential value of a licensed invention contrasted with the human resources needed to develop and process invention disclosures, patents, and licenses). However, Hsu et al fails to teach or suggest periodically generating a report indicative of the difference between the inputted actual number of invention disclosures and the pre-apportioned desired number of invention disclosures by technology area of interest taken in combination with a method for managing invention disclosures as recited in independent claim 15.

The closest prior art is to Hsu et al (article, Managing the university technology licensing process: finding from case studies). Hsu discloses potential value of a licensed invention contrasted with the human resources needed to develop and process invention disclosures, patents, and licenses). However, Hsu et al fails to teach or suggest periodically generating a report indicative of the differences between the inputted actual resource usage and the pre-apportioned resource capacity ideals by technology areas of interest for use in managing resource allocation adjustments for the intellectual property activity taken in combination with an apparatus for managing resource allocation within an intellectual property portfolio as recited in independent claim 31.

The closest prior art is to Hsu et al (article, Managing the university technology licensing process: finding from case studies). Hsu discloses potential value of a licensed invention

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contrasted with the human resources needed to develop and process invention disclosures, patents, and licenses). However, Hsu et al fails to teach periodically generating a report indicative of the difference between the actual number of invention disclosures by technology and the pre-apportioned desired number of invention disclosures by technology area of interest taken in combination with an apparatus for managing invention disclosures as recited in independent claim 43.

The closest prior art is to Hsu et al (article, Managing the university technology licensing process: finding from case studies). Hsu discloses potential value of a licensed invention contrasted with the human resources needed to develop and process invention disclosures, patents, and licenses). However, Hsu et al fails to teach or suggest periodically generating a report indicative of the difference between the inputted actual resource usage and the pre-apportioned resource capacity ideals by technology areas of interest for managing resource allocation adjustments for the intellectual property activity taken in combination with at least one program storage device readable by a machine, tangibly embodying at least one program of instructions by the machine to perform a method for managing resource allocations within an intellectual property as recited in independent claim 44.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Harshaw (U.S. Patent 6,542,871) discloses a method for selecting and developing new products into a marketplace.

b. Carter (U.S. Patent No. 6,665,656) discloses a method for evaluating a patent or intangible asset, such as a patent, or a patent portfolio and categorizing a plurality of the patent (*col. 2, line 16 through col. 3 line 6; and col. 6, lines 14-40*).

c. Aspen, Jr. (U.S. Patent No. 6,044,354) discloses a method for managing ideas and implementing tasks organized into sections and subsections.

d. Petruzzi (Wo9826343) discloses a method for searching prior technology for determining whether an inventor's invention is new, useful and non-obvious.

e. Steven (Patent pools and antitrust dilemma) teaches the concept of facilitating the development of technology.

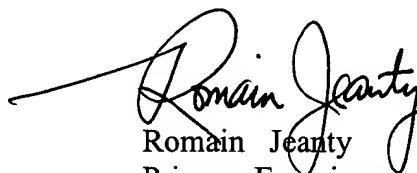
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Romain Jeanty whose telephone number is (571) 272-6732. The examiner can normally be reached on Mon-Thurs 7:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 19, 2006



Romain Jeanty  
Primary Examiner  
Art Unit 3623